

2005 White House Conference on Aging

Post-Event Summary Report

Name of Event: White House Conference on Aging Mini-Conference on Elder Abuse, Neglect and Exploitation

Date of Event: March 12, 2005

Location of Event: 2005 Joint Conference of the American Society on Aging and The National Council on the Aging, Philadelphia, PA

Number of Persons Who Attended: 65

Sponsoring Organization: National Committee for the Prevention of Elder Abuse

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NOTE:

The principal result of this Mini-Conference was the production of a proposed resolution, **Promote Elder Justice and Protect Against Elder Abuse, Neglect and Exploitation**, for consideration and adoption by the delegates at the 2005 White House Conference on Aging.

This proposed resolution represents a collaborative effort and reflects the input from members of the Elder Justice Coalition (200 organizations and 169 individuals), the Board of Directors of the National Committee for the Prevention of Elder Abuse, and participants at the Mini-Conference.

A copy of the proposed resolution, including a list of supporting organizations and individuals, begins on page 6 of this summary report.

PRIORITY ISSUE #1:

Promote Elder Justice and Protect Against Elder Abuse, Neglect and Exploitation

Elder justice requires that every older person has the right to be free of abuse, neglect and exploitation (elder abuse). An estimated five million older Americans are victimized by elder abuse each year, and that number will increase as baby boomers age. Elder abuse harms families and society and causes untold suffering and even death for its victims. Elder financial exploitation—commonly linked with other forms of abuse and neglect—threatens the health, dignity and economic security of millions of older Americans. Elder abuse is estimated to cost Americans tens of billions of dollars annually, including in health care, social service, investigative and legal costs and lost income and assets. An estimated 13 out of every 14 cases are never reported to authorities, denying victims the protection and support they need. We know little about elder abuse, undermining efforts to mount an effective response.

Although elder abuse is one of the gravest issues facing millions of American families, the problem has long remained invisible. Other comparable problems, such as child abuse and domestic violence, are the subjects of sweeping federal laws. But despite nearly three decades of Congressional hearings, no such comprehensive law has ever been enacted relating to elder abuse.

The failure to address the widespread and persistent abuse of older people breaches the moral and social commitment to protect our most vulnerable citizens from harm. The 1995 White House Conference on Aging (WHCoA) recognized the problem and adopted a resolution to prevent elder abuse, exploitation and neglect. Preventing elder abuse and promoting elder justice require assigning the issue high priority in this 2005 WHCoA. Promoting elder justice and protecting older Americans against elder abuse further require enactment of new comprehensive federal elder justice legislation, enhanced implementation of existing laws, and improved commitment by all levels of government and all professional disciplines. These objectives are reflected in the National Action Agenda on Elder Abuse, 2002, recommended by participants at the first National Elder Abuse Policy Summit (2001).

BARRIERS:

- There is inadequate public awareness, federal commitment, and coordination in and among health care, social service and justice systems related to elder abuse.
- No comprehensive federal elder abuse law has ever been enacted.
- Adult Protective Services (APS), the principal authority responding to elder abuse, suffers from chronic inadequate resources and a lack of dedicated federal funds.
- Only 2% of federal funds spent on abuse and neglect go to elder abuse, and less than 1% of research funds for aging issues are expended on elder abuse research.

PROPOSED SOLUTIONS:

- The bi-partisan Elder Justice Act (EJA), as articulated in S. 333 (2004), the first-ever comprehensive federal legislation to address elder abuse, should be enacted, fully funded and include provisions that would:
 - **Elevate Elder Justice Issues to the National Agenda**
The EJA would create federal offices to assure program and policy development, a Coordinating Council to coordinate federal, state and local activity by public and private entities, and an Advisory Panel of leading experts to chart an effective course for this emerging field.
 - **Increase the Knowledge Base**
The EJA would support urgently needed elder abuse research (see Priority Issue #3), creation of centers of excellence to focus and coordinate such efforts, and collection of critical data from health care, social service and justice sectors to inform efforts to prevent, detect, treat and prosecute elder abuse.
 - **Improve Detection**
Currently, the vast majority of elder abuse cases are missed. The EJA would support creation of forensic centers, development of “forensic markers,” and training of professionals to improve detection of elder abuse.
 - **Enhance Intervention**
The EJA would provide the first dedicated federal funds and national coordination for Adult Protective Services.
 - **Promote Prosecution and Victim Assistance**
The EJA would help prosecutors and law enforcement to pursue cases and provide vital victim assistance.
 - **Provide Training**
The EJA would provide resources for training within and across disciplines to enhance practitioners’ ability to address elder abuse within their fields and to promote a multidisciplinary approach.
 - **Increase Public Awareness**
The EJA would enhance public awareness of elder abuse and provide for resource centers to disseminate elder abuse information to consumers, advocates, researchers, policy makers, educators, law enforcement and practitioners.
- The 2005 WHCoA delegates should adopt an elder abuse-related resolution, including, most important, language expressly urging the enactment and full funding of the bi-partisan Elder Justice Act, as articulated in S. 333 (2004), the first-ever comprehensive federal bill to address elder abuse.

A proposed resolution, **Promote Elder Justice and Protect Against Elder Abuse, Neglect and Exploitation**, is presented for consideration and adoption by the 2005 WHCoA delegates. It represents a collaborative effort and reflects the input from members of the Elder Justice Coalition (200 organizations and 169 individuals), the Board of Directors of the National Committee for the Prevention of Elder Abuse, and participants at the WHCoA Mini-Conference on Elder Abuse, Neglect and Exploitation. (See pages 6 to 8 for a copy of the proposed resolution and a list of organizations and individuals endorsing it.)

PRIORITY ISSUE #2:

Strengthen Federal Laws and Programs Addressing Elder Abuse

Elder justice requires the enactment of comprehensive federal legislation (see Priority Issue #1). Elder abuse, however, sometimes overlaps with other issues that are the subjects of sweeping federal laws that include a few isolated provisions addressing elder abuse. These provisions, however, have been inadequately funded and implemented, should be enhanced, and do not obviate the need for a comprehensive elder justice law.

- The Older Americans Act (OAA) is the federal law that guides the aging network on myriad aspects of aging, including state and local aging activities. Title VII, Chapter 3 of that law provides for the prevention of elder abuse, neglect and exploitation. Title VII, Chapter 2 establishes the Long-Term Care Ombudsman Program that advocates on behalf of residents of facilities. But the funding for these activities is woefully inadequate, undermining those efforts. Neither the Native American elder rights program (Title VII-B) nor the Legal Assistance Program, which would provide protections against financial abuse (Title VII, Chapter 4), has ever been funded.
- The Violence Against Women Act (VAWA) includes a narrow provision for training law enforcement relating to older victims of domestic violence. Thus, while an important step, this provision is too limited to benefit the entire field.
- The Social Services Block Grant (SSBG) is the sole source of federal funding for Adult Protective Services (APS). Only 34 states support APS in whole or in part with SSBG funds. Even in those states, consistent funding is not assured, as many important constituencies (e.g., vulnerable children, disabled persons and homeless persons) compete for scarce SSBG funds. In 1996, Congress reduced SSBG funding from \$2.8 billion to \$2.38 billion and subsequently to the current level of \$1.7 billion. With SSBG decreases and other budget reductions, states frequently cut critical programs. APS and other aging-related services are often targets of such cuts.

BARRIERS:

The primary barriers to strengthening these elder abuse-related federal laws and programs include pressure to reduce domestic spending and difficulty in changing laws.

PROPOSED SOLUTIONS:

- Strengthen elder abuse provisions in the OAA, including adequate funding for Title VII, Chapter 3 (Elder Abuse Prevention) and Chapter 2 (Long-Term Care Ombudsman Program).
- Implement and fund the OAA Native American and Legal Assistance provisions.
- Amend VAWA to permit funding for programs, in addition to law enforcement training, relating to older victims of domestic violence.
- Restore SSBG funding to its 1995 level.

PRIORITY ISSUE #3:

Support Research to Inform Elder Abuse Policy, Programs and Practice

The first studies of elder abuse emerged in 1978. Since then, only a few studies have advanced the field. Most elder abuse research has been methodologically deficient or otherwise problematic. As a result, we know virtually nothing about elder abuse with certainty. Absent a sound understanding of its characteristics, causes and consequences, we cannot identify or develop effective policies and programs to address the problem. We cannot prevent elder abuse without knowing its risk factors. We cannot provide effective interventions without knowing its clinical course and which treatments work. We cannot know the nature and scope of the problem or what measures we need to address it without incidence and prevalence data. And until we evaluate current efforts, we will not know which ones to replicate and expand, and which ones to abandon.

BARRIERS:

Research panels since 1986, including the National Academy of Sciences (NAS) Panel to Review Risk and Prevalence of Elder Abuse and Neglect, have identified reasons for elder abuse research deficiencies. Barriers that impede elder abuse research and our understanding of this problem include:

- Modest federal funding (less than 1% of aging research dollars go to elder abuse)
- Few researchers attracted to the field
- Inadequate theory base
- Varying (and sometimes contradictory) definitions used in research and laws
- Challenging methodology
- Insufficient links between researchers and service agencies
- Difficulties in navigating human subject protection issues.

PROPOSED SOLUTIONS:

In order to address existing elder abuse research deficits, the federal government must:

- Create centers of excellence to focus and coordinate research.
- Provide funding to implement recommendations of the NAS Panel to Review Risk and Prevalence of Elder Abuse and Neglect, including those to:
 - develop widely accepted operational definitions of elder abuse,
 - conduct national incidence and prevalence studies of elder abuse,
 - undertake longitudinal studies of the nature of elder abuse,
 - identify the risk and protective factors for various types of elder abuse, and
 - evaluate the effectiveness of elder abuse interventions.
- Establish mechanisms to collect and analyze data from federal, state and local health care, social service and justice sectors.
- Provide guidance to researchers on navigating human subject protection issues.
- Disseminate the results of research and data collection to policy makers, researchers, advocates, educators, law enforcement, practitioners and the public.

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PROPOSED RESOLUTION

Promote Elder Justice and Protect Against Elder Abuse, Neglect and Exploitation

- 1 WHEREAS every older person has the right to be free of abuse, neglect and exploitation (elder abuse);
- 2 WHEREAS an estimated five million older Americans are victims of elder abuse each year, and that number will increase as baby boomers age;
- 3 WHEREAS elder abuse is estimated to cost Americans tens of billions of dollars annually, including in health care, social service, investigative and legal costs and lost income and assets;
- 4 WHEREAS elder abuse results in untold suffering and even death for its victims and harms families and society;
- 5 WHEREAS elder financial exploitation—commonly linked with other forms of abuse and neglect—threatens the health, dignity and economic security of millions of older Americans;
- 6 WHEREAS there is a dearth of research on elder abuse to inform policy, programs and practice;
- 7 WHEREAS too little is known about how to address elder abuse, and an estimated 13 out of every 14 cases are not reported to authorities, denying victims the protection and support they need;
- 8 WHEREAS older Americans are denied justice due to inadequate public awareness, public policy and federal funding, as well as poor coordination within and among health care, social service and justice systems related to elder abuse;
- 9 WHEREAS no comprehensive federal elder abuse law has ever been enacted;
- 10 WHEREAS Adult Protective Services (APS), the principal authority responding to elder abuse, suffers from chronic inadequate resources and a lack of dedicated federal funds;
- 11 WHEREAS the Older Americans Act promotes elder abuse prevention and long-term care ombudsman activities and requires reauthorization, and the Native American Program of Title VII of the Act has never received an appropriation from the Congress; and

- 12 WHEREAS the 1995 White House Conference on Aging recognized the problem of elder abuse and adopted a resolution to prevent elder abuse, exploitation and neglect;

THEREFORE, BE IT RESOLVED that the 2005 White House Conference on Aging supports:

- 13 Enactment and full funding of the bi-partisan Elder Justice Act, as articulated in S. 333 (2004), the first-ever comprehensive federal legislation to address elder abuse, guaranteeing protection for older Americans and building the capacity of APS programs in every state;
- 14 Strengthening federal laws and programs addressing elder abuse, including the Social Services Block Grant, the Older Americans Act (especially Title VII, including first-time funding of the Native American Program), and the Violence Against Women Act by increased appropriations and improvements through reauthorization; and
- 15 Research to address deficits in our knowledge of elder abuse, including collecting data from health care, social service and justice sectors, implementing recommendations of the National Academy of Sciences Panel to Review Risk and Prevalence of Elder Abuse and Neglect, and disseminating the results through education of practitioners, policy makers and the public.

To date, the following organizations endorse this proposed resolution:

National Committee for the Prevention of Elder Abuse
 Elder Justice Coalition
 National Adult Protective Services Association
 National Association of State Long-Term Care Ombudsman Programs
 National Association of State Units on Aging
 Administration of Resources & Choices - Tucson, AZ
 Arizona Center on Aging, University of Arizona - Tucson
 Arlington Agency on Aging
 Benjamin Rose Institute
 Catholic Charities Health and Human Services, Cleveland, Ohio
 Center for Advocacy for the Rights and Interests of the Elderly (CARIE)
 City of New York Department for the Aging
 Council on Older Persons, Center for Community Solutions
 Cuyahoga County Department of Senior and Adult Services
 Entrust Fiduciary Services, Inc.
 Hospice Patients Alliance
 Institute of Gerontology, University of Louisiana - Monroe
 Kansas Area Agencies on Aging Association
 Kentucky Office of the Long-Term Care Ombudsman
 Maricopa County Public Fiduciary
 National Association of Legal Services Developers
 National Association of Local Long Term Care Ombudsmen

National Indian Council on Aging
National Sheriffs' Association
Ohio Association of Regional Long-Term Care Ombudsmen
Oneida County Elder Abuse Coalition
Pennsylvania Coalition Against Rape
Pima Council on Aging
San Diego Forensic Medical Unit Department of the Family Justice Center
Stanislaus Elder Abuse Prevention Alliance
Virginia Coalition for the Prevention of Elder Abuse
Virginia Guardianship Association
Wisconsin Association of Area Agencies on Aging
Women's Public Policy Task Force of UJA-Federation of New York

To date, the following individuals endorse this proposed resolution:

Moya Atkinson
Randy D. Davis
Tom Laughlin
Elyse Politi